IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL.

Writ Petition No. 910(S/S)2007

Vinay Kumar Tewari S/o Sri Vinod Chandra,
Posted at Primary School, Maniagar,
Tehsil-Almora, District Almora. ----Petitioner.

Vs.

1. State of Uttarakhand through Director of Education, Uttarakhand, Dehradun,
2. District Education Officer, District Almora,
3. Addl. District Education Officer, (Basic), District Almora,
4. Block Education Officer, Dhauladevi,
5. District Almora. ----Respondents.

Sri Lalit Samant, learned Counsel for the petitioner and
Sri Paresh Tripathi, learned Standing Counsel for the State of Uttarakhand.

Hon'ble M.M. Ghildiyal, J.

Heard Sri Lalit Samant, learned Counsel for the petitioner and Sri Paresh Tripathi, learned Standing Counsel for State of Uttarakhand/respondents.

By means if this writ petition, the petitioner has challenged the order dated 19.04.2007 passed by the Block Education Officer, Dhauladevi, District Almora by which attachment of the petitioner from Primary School, Maniagar has been cancelled. By this order, the petitioner has further been directed to join in Primary School, Papola, Dhauladevi from where his attachment was done at Primary School, Maniagar.

Learned counsel for the petitioner has submitted that the petitioner was attached to Primary School, Maniagar in view of the threats received by him from some antisocial elements of

the village against whom he has already filed an F.I.R. and the trial is going on in this regard.

The petitioner may approach to the appropriate authority for being transferred him from Primary School, Papola, Dhauladevi, District Almora to any other School nearby to it. So far the order dated 19.04.2007 by which attachment of petitioner has been cancelled in this regard the Govt. has adopted policy for cancellation of attachment of the Teachers and the impugned transfer order is the consequential effect.

Learned counsel for the petitioner has submitted that the petitioner, raising all his grievances, has already moved representation (annexure no. 5) before Addl. District Education Officer (Basic), Almora/respondent no. 3 on 16th July 2007.

In the circumstances of the case, without entering into the merits of the case, I direct the respondent no. 3 to take decision on the representation of the petitioner dated 16th July 2007, annexure no. 5 to the writ petition, within a period of two weeks from the date of production of a certified copy of this order.

With these directions, the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

July 18, 2007:
NCM: